

109TH CONGRESS
1ST SESSION

H. R. 2456

To amend the Controlled Substances Act and the Controlled Substances Import and Export Act to eliminate certain mandatory minimum penalties relating to crack cocaine offenses.

IN THE HOUSE OF REPRESENTATIVES

MAY 18, 2005

Mr. RANGEL introduced the following bill; which was referred to the Committee on the Judiciary, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Controlled Substances Act and the Controlled Substances Import and Export Act to eliminate certain mandatory minimum penalties relating to crack cocaine offenses.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Crack-Cocaine Equi-
5 table Sentencing Act of 2005”.

1 **SEC. 2. TREATING CRACK AND OTHER FORMS OF COCAINE**
2 **THE SAME FOR TRAFFICKING PENALTIES.**

3 (a) TREATING 50 GRAMS OF CRACK THE SAME AS
4 50 GRAMS OF OTHER FORMS OF COCAINE.—Section
5 401(b)(1)(A) of the Controlled Substances Act (21 U.S.C.
6 841(b)(1)(A)) is amended by striking clause (iii).

7 (b) TREATING 5 GRAMS OF CRACK THE SAME AS 5
8 GRAMS OF OTHER FORMS OF COCAINE.—Section
9 401(b)(1)(B) of the Controlled Substances Act (21 U.S.C.
10 841(b)(1)(B)) is amended by striking clause (iii).

11 **SEC. 3. TREATING THE POSSESSION OF CRACK THE SAME**
12 **AS THE POSSESSION OF OTHER FORMS OF**
13 **COCAINE.**

14 Section 404(a) of the Controlled Substances Act (21
15 U.S.C. 844(a)) is amended by striking the sentence that
16 begins “Notwithstanding the preceding sentence”.

17 **SEC. 4. TREATING THE IMPORTATION OF CRACK THE SAME**
18 **AS THE IMPORTATION OF OTHER FORMS OF**
19 **COCAINE.**

20 (a) TREATING 50 GRAMS OF CRACK THE SAME AS
21 50 GRAMS OF OTHER FORMS OF COCAINE.—Section
22 1010(b)(1) of the Controlled Substances Import and Ex-
23 port Act (21 U.S.C. 960(b)(1)) is amended by striking out
24 subparagraph (C).

25 (b) TREATING 5 GRAMS OF CRACK THE SAME AS 5
26 GRAMS OF OTHER FORMS OF COCAINE.—Section

1 1010(b)(2) of the Controlled Substances Import and Ex-
2 port Act (21 U.S.C. 960(b)(2)) is amended by striking out
3 subparagraph (C).

4 **SEC. 5. SENTENCING COMMISSION TO AMEND GUIDELINES.**

5 As soon as practicable after the date of the enactment
6 of this Act, the United States Sentencing Commission
7 shall promulgate such amendments to the Sentencing
8 Guidelines as are necessary to conform those Guidelines
9 to the amendments made by this Act.

○